

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MUSTAFA-EL K.A. AJALA
f.k.a. Dennis E. Jones-El, and
SPENCER A. BROWN,

Plaintiffs,

v.

KELLI WEST, RICK RAEMISCH,
TODD OVERBO, CATHY JESS,
PETER HUIBREGTSE, TIM HAINES,
CHARLES COLE and ANTHONY BROADBENT,

Defendants.

ORDER

13-cv-184-bbc

Defendants Kelli West, Todd Overbo, Cathy Jess, Tim Haines, Charles Cole and Anthony Broadbent have filed a motion for partial summary judgment with respect to plaintiff Spencer Brown's claim that these defendants denied Brown's request in 2012 for an Eid-ul-Fitr meal, in violation of the Religious Land Use and Institutionalized Persons Act, the free exercise clause, the establishment clause and the equal protection clause. Dkt. #25. In particular, defendants argue that plaintiff Brown did not exhaust his administrative remedies with respect to this claim, as required by 42 U.S.C. § 1997e(a). In response, plaintiff Brown has conceded that he did not exhaust his administrative remedies as to that claim, dkt. #32, so I will grant the motion.

ORDER

IT IS ORDERED that the motion for partial summary judgment filed by defendants Kelli West, Todd Overbo, Cathy Jess, Tim Haines, Charles Cole and Anthony Broadbent, dkt. #25, is GRANTED. Plaintiff Spencer Brown's complaint is DISMISSED as to his claim that defendants denied his request in 2012 for an Eid-ul-Fitr meal, in violation of the Religious Land Use and Institutionalized Persons Act, the free exercise clause, the establishment clause and the equal protection clause.

Entered this 29th day of January, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge